

ORDINANCE NO.

AN ORDINANCE AMENDING SECTIONS 36.12.70 AND 36.60.09 OF
CHAPTER 36 OF THE MOUNTAIN VIEW CITY CODE
RELATED TO COMPANION UNIT REGULATIONS

THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW DOES HEREBY
ORDAIN AS FOLLOWS:

Section 1. Council Findings. The City Council finds and determines the following Zoning Text Amendment is consistent with the General Plan of the City of Mountain View based upon the following findings made pursuant to Section 36.52.60 of the City Code:

a. The Zoning Text Amendments are consistent with the General Plan because they: (1) encourage residential developments serving a broad range of diverse households and incomes per *Policy LUD 3.5*); (2) align with Housing Element Goal No. 4 to review and identify development standards that constrain the development of housing production; implement Housing Element Program No. 4.3 to evaluate the options, benefits, and impacts of modifying the Mountain View City Code to remove constraints that may limit the construction of second units; and

b. The Zoning Text Amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City as the proposed amendments in the development standards are minor and will provide public benefit by facilitating diverse housing production; and

c. The Zoning Text Amendments are internally consistent with Chapter 36 of the Mountain View City Code; and

d. The Zoning Text Amendment is in compliance with the provisions of the California Environmental Quality Act (CEQA) because the proposed amendment is categorically exempt under the CEQA pursuant to Section 15282(h) ("Other Statutory Exemptions: Second Units") of the CEQA Guidelines; and

e. The following Zoning Text Amendment is in conformity with the procedures set forth in Chapter 36, Article XVI, Division 13, Sections 36.52.35 through 36.52.60 of the Mountain View City Code.

Section 2. Chapter 36, Article IV, Division 10, Section 36.12.70 of the Mountain View City Code is hereby amended to read as follows:

“SEC. 36.12.70. Development standards.

A companion unit may be allowed on a lot in the R1 zoning district in addition to a primary dwelling, subject to the following requirements:

- a. **Primary dwelling required.** The site shall be developed with one (1) detached single-family dwelling;
- b. **Companion unit appearance.** The design of the unit shall conform in general to the design of the primary dwelling; and
- c. **Site layout and design standards.** The location and design of a companion unit shall comply with the following requirements:

COMPANION UNIT REQUIREMENTS

Minimum lot area	Minimum 35% larger lot area than required by the applicable zone. <u>No minimum lot size requirement.</u>	
Gross floor area	700 sq. ft. of habitable floor area, maximum, and 200 sq. ft. for a garage, maximum, provided the total floor area for the lot does not exceed the maximums in Section 36.10.25.	
Location of unit	Attached to a principal structure	Basement, ground level or above the garage with no internal access to the primary dwelling.
	Detached unit	Rear half of lot.
	Above a detached garage	Rear half of lot.
Site coverage, detached rear-yard units	30% of the rear yard, maximum, including any other accessory structures, and projections of the primary dwelling.	
Setbacks	Side	1-story detached structure: 5 ft. minimum, 12 ft. total.
		1-story attached (basement): comply with required setbacks of the main house. See Section 36.10.25.
		2-story over attached or detached garage: See Section 36.10.25 for 2nd story setbacks.

	Rear	1-story detached: 10 ft. minimum. 1-story attached (basement): comply with required setbacks of the main house. See Section 36.10.25. 2-story over attached or detached garage: See Section 36.10.25 for 2nd story setbacks.
	Interior	10 ft. minimum, from primary dwelling or other structure, if detached.
Height limit		1-story detached: 16 ft. maximum building height and 9 ft. at top of wall plate. 1-story attached: See Section 36.10.25 for height limits for principal structures. 2-story (over garage): 28 ft. maximum building height and 22 ft. at top of wall plate.
Parking	Required Spaces	1 space per bedroom unit , which can be covered or uncovered.
	Shared Parking	A driveway, garage or carport may be shared with the primary dwelling unit if the companion unit has direct, unobstructed (or shared) access to the parking space(s)."

Section 3. Chapter 36, Article XVII, Division 2, Section 36.60.09 of the Mountain View City Code is hereby amended to read as follows:

"SEC. 36.60.09. Definitions – "C."

Camp car. A vehicle with or without motive power that is designed or used for human habitation.

Camper. A structure intended for human habitation that is designed to be carried in the cargo space of a separate motor vehicle when in use.

Cemeteries, columbariums and mortuaries. Internment establishments engaged in subdividing property into cemetery lots and offering burial plots or air space for sale. Includes animal cemeteries; cemetery, mausoleum, crematorium and columbarium operations; and full-service funeral parlors, whether accessory to or separate from a cemetery or columbarium.

Child-care centers. A commercial or nonprofit facility that provides care and supervision of minor children for periods of less than twenty-four (24) hours. This

includes infant centers, preschools, sick-child centers and school-age child-care facilities but does not include small- and large-family child-care homes. Child-care centers may be operated in conjunction with a school or church facility or as an independent land use.

Child-care facilities. A facility that provides care and supervision of minor children for periods of less than twenty-four (24) hours. Child-care facilities include small-family child-care homes, large-family child-care homes and child-care centers. Child-care facilities are required to be licensed by the California State Department of Social Services.

a. **Small-family child-care home.** A child-care facility located in a residence where an occupant of the residence provides care and supervision for up to six (6) children for periods of less than twenty-four (24) hours per day. Children under the age of ten (10) years who reside at the residence are counted in the six (6) children maximum for small-family child-care homes.

b. **Large-family child-care home.** A child-care facility located in a residence where an occupant of the residence provides care and supervision of seven (7) to fourteen (14) children for periods of less than twenty-four (24) hours. Children under the age of ten (10) years who reside in the residence are included in the number of children served by the large-family child-care home.

Churches. Religious organization facilities operated for worship or promotion of religious activities, including churches and religious Sunday-type schools; and accessory uses on the same site, such as living quarters for ministers and staff, and child day-care facilities where authorized by the same type of land use permit required for the church itself. Other establishments maintained by religious organizations, such as full-time educational institutions, hospitals and other potentially related operations (such as a recreational camp), are classified according to their respective activities.

City council. The city council of the City of Mountain View, California.

Commercial coach. A vehicle, other than motor vehicle, designed or used for human habitation, or human occupancy for industrial, professional or commercial purposes, for carrying persons and property on its own structure, and for being drawn by a motor vehicle.

Commission or planning commission. The environmental planning commission of the City of Mountain View, California.

Community center. Multi-purpose meeting, banquet and recreational facilities typically consisting of one (1) or more meeting or multi-purpose rooms, kitchen and/or

outdoor barbecue facilities, that are available for use by various groups for such activities as meetings, parties, receptions, dances, etc.

Community development director. The director of the community development department of the City of Mountain View.

Community service organization. Any organization, group, society, corporation, institution or other entity, organized solely for religious, charitable, educational, scientific or literary purposes, no part of the net earning of which benefits any private stockholder or individual.

Companion unit. A secondary dwelling unit located on the same parcel of land as a primary dwelling unit which meets the requirements and development standards for a companion unit as described in city code Sec 36.12.70. "Accessory Structures" are separately defined in this Chapter.

Construction contractors (contractors yard). Storage yard operated by, or on behalf of, a contractor licensed by the State of California for storage of large equipment, vehicles or other materials commonly used in the individual contractor's type of business; storage of scrap materials used for repair and maintenance of contractor's own equipment; and buildings or structures for uses such as offices and repair facilities.

Convalescent hospital. See "Medical services—extended care."

Cottage food operation. An operation as defined in Health and Safety Code § 113758, and as may be amended, which maintains a valid business license with the City of Mountain View and is registered and/or permitted by the County of Santa Clara Department of Environmental Health.

Court. An open unoccupied space, other than a yard, on the same lot with a building or group of buildings.

Crop and tree farming. The use of land for horticultural uses."

Section 4. The provisions of this ordinance shall be effective thirty (30) days from and after the date of its adoption.

Section 5. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the other remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

Section 6. Pursuant to Section 522 of the Mountain View City Charter, it is ordered that copies of the foregoing proposed ordinance be posted at least two (2) days prior to its adoption in three (3) prominent places in the City and that a single publication be made to the official newspaper of the City of a notice setting forth the title of the ordinance, the date of its introduction, and a list of the places where copies of the proposed ordinance are posted.
